



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

November 29, 1995

Ms. Jennifer D. Soldano  
Associate General Counsel  
Texas Department of Transportation  
Dewitt C. Greer State Highway Bldg  
125 E. 11th Street  
Austin, Texas 78701-2483

OR95-1293

Dear Ms. Soldano:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 37044.

The Texas Department of Transportation has received a request for information regarding the Jones County Courthouse. You have provided much of the information to the requestor. You have submitted one document for our review and claim that section 552.101 excepts the document from required public disclosure.

At the outset, we note that, rather than section 552.101, section 552.107(1) excepts from disclosure information protected by the attorney-client privilege. Open Records Decision No. 575 (1990) at 2. Section 552.107(1) protects information that reveals client confidences to an attorney, including facts and requests for legal advice, or that reveals the attorney's legal advice. See Open Records Decision No. 574 (1990). The record submitted for our review is a request for an attorney's legal advice. You may therefore withhold the record under section 552.107(1).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous

determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Loretta DeHay", is written over the typed name.

Loretta R. DeHay  
Assistant Attorney General  
Open Records Division

LRD/ch

Ref.: ID# 37044

Enclosures: Submitted document

cc: Mr. John R. Volz, Architect  
Volz & Associates  
2520 Longview, Suite 214  
Austin, Texas 78705  
(w/o enclosures)